(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

**CRIMINAL MISCELLANEOUS APPLICATION NO. 96 OF 2004**

| Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's Orders |
|---|---|

Mrs. Winnie Coutinho, Additional Public Prosecutor for the Applicant.

CORAM : P. V. HARDAS, J.

DATE : 29TH APRIL, 2004.

P.C.:

This Court by its Judgment dated 22nd January, 2004, had quashed the Order of the Inspector General of Prisons, Panaji, Goa, declining to grant parole to the Petitioner therein and had granted parole for a period of thirty days on certain terms and conditions.

The present application has been filed by the Superintendent of Sada Sub-Jail, Vasco, praying for issuance of an appropriate direction under Section 27(2) of the Goa, Daman and Diu Furlough & Parole Rule, 1968 to inter alia forfeit the

amount of the personal bond and direct the State Bank of India to encash the FDR No. SD.A/81. 434939 dated 29/1/04 of Rs.50,000/- and also to direct the Director General of Police to arrest the Accused and commit him to Sub-Jail, Vasco. The Writ Petition has been decided and is not pending. The Miscellaneous Application as filed is completely misconceived in law.

The Authorities competent to take action in law have been vested with the jurisdiction under the Rules and intervention of this Court is not necessary for the exercise of that jurisdiction.

Hence, Criminal Miscellaneous Application No.96 of 2004 is dismissed in limine.

P. V. HARDAS, J.

RD.